

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Horticulture Dept. – APMIP - Allegations against Sri D. Maheshwar Raju, Asst. Project Director, APMIP, Ananthapur (Asst. Director of Sericulture (Rtd), Sri Y. Narasimha Reddy, Asst Project Director, APMIP, Ananthapur (Asst. Director of Sericulture (Rtd) Ananthapur Dist and Sri B. Ravi Kumar, Project Director, APMIP (Divisional Forest Officer (rtd) for misappropriation of funds under APMIP – Regular Enquiry Conducted – Report submitted - Examined – Further action Dropped – Orders – Issued.

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**AGRICULTURE AND COOPERATION (VIG.I) DEPARTMENT**

G.O.Rt.No. 453

Dated:04-08-2014.

**Read the following:-**

1. From the DG, GA(V&E) Dept.,Lr.No.117(892/V&E/NR2/Ant/2008), dated: 29-9-2010.
2. From the Cos Rc. No. 550/2011-B1-B, dated:25.06.2011.
3. From the Cos Rc. No. 550/2011-B1-B, dated:25.06.2011.
4. From O/o CCF,Hyd Pro No. 4829/2011/P2, dated: 14.09.2011.
5. Govt Memo.no.15486/vig.11(2)/2010, dated:28.08.2013.
6. From the CoH,Hyd, Lr.No.APMIP/242/E-II/11, dated:16.01.2014.along with EO's report dated;4.01.2014.
7. Govt Memo.No.15486/Vig.II(2)/2010 dated;28.05.2014.
8. From the CoS.. Pro No. 550/2011-B1-B, dated:9.06.2014 & 30.6.2014.

**ORDER:**

In the ref. 1<sup>st</sup> read above, the General Administration (V &E) Dept.,have conducted enquiry on credible information that certain irregularities occurred in the implementation of A.P. Micro Irrigation Project in Ananthapur Dist for the years 2006-2007 and 2007-2008 and submitted its report. Among certain other recommendations therein, they requested to initiate disciplinary action against Sri D. Maheshwar Raju, Asst. Project Director, A.P.Micro Irrigation Programme, Ananthapur (Asst. Director of Sericulture (Rtd), Sri Y. Narasimha Reddy, Asst Project Director, A.P.Micro Irrigation Programme, Ananthapur (Asst. Director of Sericulture (Rtd) Ananthapur Dist and Sri B. Ravi Kumar, Project Director, A.P.Micro Irrigation Programme, (Divisional Forest Officer (rtd) Ananthapur and another for misappropriation of the Govt funds in the implementation of the Scheme. Charges were framed against Sri Y.Narasimha Reddy APD, APMIP, Ananthapur and Sri D.Maheswara Raju, APD, APMIP, Ananthapur by the Commissioner of Sericulture, Hyd. in the references 2<sup>nd</sup> and 3<sup>rd</sup> read above. In the reference 4<sup>th</sup> read above, the Prl. Chief Conservator of Forests, Hyderabad has framed charges against Sri B.Ravi Kumar, DFO who had worked as PD,

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APMIP in Horticulture Dept. In the ref. 5<sup>th</sup> read above, the Government after obtaining the written statements of defence, appointed Sri C.Srivenkateswar Rao, JDH as Inquiry Authority for conducting a common enquiry in to the charges framed against the above charged officers, In the ref. 6<sup>th</sup> read above, the Inquiry Authority and JDH, (Plg), O/o. CoH, Hyderabad has submitted the Inquiry Report. through the Commissioner of Horticulture, Hyderabad. In his report the Enquiry Authority after going through the details of the case has reported that the charges framed against the 3 Charged Officers are not held proved.

2. The Government have examined the case with ref to the report of the Vigilance and Enforcement Dept., the Explanations of the Charged Officers and the report of the Inquiry Authority along with the relevant material and indicated certain disagreement factors with reference to the Inquiry Report of Sri C. Srivenkateswar Rao, Inquiry Officer and J.D.H. (Plg), O/o. Commissioner of Horticulture, Hyderabad, which are as follows:-

1. The Inquiry Officer in his Inquiry Report has simply stated that the (4) Articles of Charges framed against the Charged Officers 1,2,& 3 are not proved merely on the ground that the Charged Officers have acted up on the directions / instructions of Project Director, APMIP.
2. The Government observes that as a matter of fact the Charges Officers are bound to comply with the guidelines and provisions of APMIP before giving sanctions and not as per the oral instructions / orders of PD, APMIP. The Inquiry Officer in his Inquiry Report has not indicated whether the Charged Officers have sanctioned MI Units to the bogus applicants and subsidy was sanctioned to the same farmer / his family.
3. The Government also observes that due to the failure of the Charged Officers in adhering to the provisions and guidelines of APMIP, an amount of Rs.23,75,364/- and Rs.7,78,574/- has been misappropriated and misutilized. Further as per Rule 3 (4) of the APCS Conduct Rules, 1966, whenever an employee does something under the oral instructions of the superiors, he has to obtain written orders.

3. In the ref. 7<sup>th</sup> read above, while furnishing the Disagreement Factors, the Commissioner of Sericulture, Hyderabad and Principal Chief Conservator of Forests, Hyderabad were requested to communicate the same along with the Enquiry Report to the three Charged Officers mentioned above for submitting their explanations thereon .

4. In the reference 8<sup>th</sup> read above, the Commissioner of Sericulture, Hyderabad has reported that the Disagreement Factors have been communicated to Sri D. Maheshwar Raju, APD APMIP, Ananthapur (Asst. Director of Sericulture (Rtd), Sri Y. Narasimha Reddy, APD. APMIP, Ananthapur (Asst. Director of Sericulture (Rtd) Ananthapur Dist. and they have submitted their explanations thereon wherein they denied the disagreement factors, as follows:-

1. Disagreement Factor.1:- The Enquiry Officer has not mentioned anywhere in the Inquiry Report that they acted upon oral instructions / directions, The directions / instructions were based on guidelines and on written record only.
2. Disagreement Factor.2:- This is not a sound observation and it is totally un-reasonable without any judicious consideration of the Inquiry Officer report because As such the question of sanction of MI units to any bogus applications and sanction of subsidy to the same family does not arise, since the Charged Officers were not involved at any stage of processing of applications for sanction of subsidy and the question of complying with the guidelines and provisions of APMIP before giving sanctions does not arise.
3. Disagreement Factor.3:- As per the Inquiry Officer's findings in the conclusion to the Charge No.1 (in the Inquiry Report at page No.11 point No.13) he reported in the last para as "hence it clearly shows that they are not involved in any misappropriation and they acted upon the directions / instructions of the PD, APMIP". In the above findings there is no mention that they acted upon oral instructions as mentioned in the Disagreement Factor No.3. The Inquiry Officer's version that they acted upon the directions / instructions of the PD, APMIP does not mean, they are oral. The directions / instructions were based on the guidelines and on written record. As per the established norms and rules whenever the superior asks his subordinate orally to process the file, it will be processed through "office note" duly narrating the facts of the case and when such file is approved the oral instructions of the officer automatically get converted into written orders. Thus the requirement under Rule-3(4) of APCS (Conduct) Rules, 1964 were fulfilled. So, it is also not reasonable to infer that such directions / instructions by the Project Director are only oral without following guidelines of the Scheme. The observation is also only a presumptive, but not a real one based on any ground and so the above said rule of APCS (Conduct) Rules, 1964 does not apply to them. Thus, all the disagreement factors are neither in line with the findings of the Inquiry Officer nor they are realities.

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-4-

5. Therefore, while submitting their explanations on the Disagreement Factors, Sri D. Maheswara Raju and Y. Narasimha Reddy Assistant Project Directors, APMIP, Ananthapur (now retired from service) also requested to drop further action against them keeping in view of the findings of the Inquiry Authority.

6. The Government have examined all the above details and decided to accept the explanations of the above two Charged Officers i.e. Sri D. Maheshwar Raju, Assistant Project Director, APMIP, Ananthapur (Asst. Director of Sericulture (Rtd), Sri Y. Narasimha Reddy, Assistant Project Director, APMIP, Ananthapur (Asst. Director of Sericulture (Rtd) Ananthapur Dist and accordingly hereby drop further action against them in the matter.

7. The Commissioner of Sericulture, Hyderabad shall take further action in the matter accordingly.

BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH

RANJEEV R. ACHARYA,  
APC & PRINCIPAL SECRETARY TO GOVERNMENT

To

The Individuals concerned through the Commissioner of Sericulture, Andhra Pradesh, Hyderabad.

Copyto:

The Commissioner of Sericulture, Andhra Pradesh, Hyderabad.

The Commissioner of Horticulture, Hyderabad.

The Secretary, A.P. Vigilance Commission, Hyderabad  
SF/SCs.

//FORWARDED BY ORDER//

SECTION OFFICER